

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Patrick J. Sweeney
Title: METHOD AND DEVICE FOR DELIVERING MEDICINE TO BONE
Appl. No.: 10/620,287
Appl. Filing Date: 07/15/2003
Examiner: Koharski, Christopher
Art Unit: 3763
Conf. No.: 7722

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

- [] Please enter and consider the amendment and/or reply previously filed on ____.
- [] Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.
- [] Please consider the arguments in the Appeal Brief or Reply previously filed on ____.
- [] Other ____.

b. Enclosed are:

- [X] Amendment/Reply (10 pages).
- [] Affidavit(s)/Declaration(s).
- [X] Information Disclosure Statement (2 pages).
- [X] Form PTO/SB/08 (1 page) with 2 listed references (1 enclosed).
- [] Other .

Miscellaneous:

- [] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(c):				\$790.00	= \$790.00
Total Claims:	17	- 29	= 0	x \$50.00	= \$0.00
Independents	2	- 6	= 0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$360.00	= \$0.00	
				CLAIMS FEE TOTAL:	= \$790.00

[] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$120.00	0	\$0.00
[] Extension for response filed within the second month:	\$450.00		\$0.00
[] Extension for response filed within the third month:	\$1,020.00		\$0.00
[] Extension for response filed within the fourth month:	\$1,590.00		\$0.00
[] Extension for response filed within the fifth month:	\$2,160.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$0.00
EXTENSION FEE ALREADY PAID:	-		\$0.00
EXTENSION FEE TOTAL			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$790.00
[X] Small Entity Fees Apply (subtract ½ of above):			\$395.00
[] Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$395.00

The above-identified fees of \$395.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date September 26, 2007

By /Jeffrey S. Gundersen/

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5897
Facsimile: (414) 297-4900

Jeffrey S. Gundersen
Attorney for Applicant
Registration No. 47,619